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EXAMINER

BRUCKART, BENJAMIN R

ART UNIT PAPER NUMBER

2155

DATE MAILED: 10/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/844,381

Applicant(s)

JORGENSEN, D. SCOTT

Examiner

Benjamin R. Bruckart

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23,27,28 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23,27,28 and 30-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

Detailed Action

Status of Claims:

Claims 1-23, 27-28, 30-32 are pending in this Office Action.

Claims 24-26, 29 remain cancelled.

Response to Arguments

Applicant's arguments filed 8/24/06 have been fully considered and are not found persuasive. See remarks below.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-23, 27-28, 30-32 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No 6,006,269 by Phaal.

Regarding claim 1, a method implemented at a Web server for controlling the resumption of access to a World Wide Web page to be supplied by the Web server and requiring at least one prerequisite (Phaal: col. 2, lines 31-45), the method comprising:

receiving and evaluating a current HTTP request from a Web client to determine whether a previously unsatisfied prerequisite has been satisfied (Phaal: col. 2, lines 46-53);

retrieving from a stored location information related to re-requesting a target HTTP request previously interrupted by the prerequisite (Phaal: col. 2, lines 53-64), if the receiving and

evaluating step determines that a previously unsatisfied prerequisite has been satisfied (Phaal: col. 2, lines 51-65);

forming an HTTP response, which response includes contents for re-requesting from the Web client the target HTTP request (Phaal: col. 2, lines 65- col. 3, line 15); and

transmitting the response to the Web client that transmitted the current HTTP request (Phaal: col. 2, lines 65- col. 3, line 15).

Regarding claim 2, the method according to claim 1, wherein the prerequisite is an authentication prerequisite (Phaal: col. 8, lines 2-5).

Regarding claim 3, the method according to claim 1, wherein the prerequisite is an entitlement prerequisite (Phaal: col. 4, lines 46-57).

Regarding claim 4, the method according to claim 1, wherein the prerequisite is a workflow prerequisite (Phaal: col. 4, lines 46-57; col. 5, lines 58-63).

Regarding claim 5, the method according to claim 1, wherein the information retrieved from the stored location, includes the original target URL, queries, and form arguments (Phaal: col. 5, lines 58-3).

Regarding claim 6, the method according to claim 1, wherein the information retrieved from the stored location, includes sufficient additional state information (Phaal: col. 5, lines 58-65), so that re-request contents within the HTTP response are adequate for the Web client to repeat the target HTTP request as originally transmitted (Phaal: col. 6, lines 25-49).

Regarding claim 7, the method according to claim 1, wherein the information retrieved from the stored location, includes the type of prerequisite previously unsatisfied for the target HTTP request (Phaal: col. 6, lines 16-25).

Regarding claim 8, the method according to claim 1, wherein the stored location uses client-side session state (Phaal: col. 6, lines 50-65).

Regarding claim 9, the method according to claim 1, wherein the stored location uses server-side session state (Phaal: col. 6, lines 1-12).

Regarding claim 10, the method according to claim 1, wherein the HTTP response formed includes content to cause the Web client to automatically re-request the target HTTP request (Phaal: col. 6, lines 50-65; col. 7, lines 12-30).

Regarding claim 11, the method according to claim 1, wherein the HTTP response formed includes content to inform and allow the user of the Web client to optionally re-request the target HTTP request (Phaal: col. 7, lines 12-30).

Regarding claim 13, the method according to claim 7, wherein the prerequisite is an authentication prerequisite (Phaal: col. 8, lines 2-5).

Regarding claim 14, the method according to claim 7, wherein the prerequisite is an entitlement prerequisite (Phaal: col. 4, lines 46-57).

Regarding claim 15, the method according to claim 7, wherein the prerequisite is a workflow prerequisite (Phaal: col. 4, lines 46-57; col. 5, lines 58-63).

Regarding claim 12, a method implemented at a Web server for controlling the resumption of access to a World Wide Web page to be supplied by the Web server and requiring at least one prerequisite (Phaal: col. 2, lines 31-45), the method comprising:

receiving and evaluating a current HTTP request from a Web client to determine whether an unsatisfied prerequisite exists (Phaal: col. 2, lines 46-53);

saving to a stored location information related to re-requesting the current HTTP request (Phaal: col. 2, lines 51-65), if the receiving and evaluating step determines that an unsatisfied prerequisite exists (Phaal: col. 2, lines 65- col. 3, line 15; col. 6, lines 29-49);

forming an HTTP response, which response omits desired contents from a location specified by the current HTTP request (Phaal: col. 2, lines 65- col. 3, line 15); and

transmitting the response to the Web client that transmitted the current HTTP request (Phaal: col. 2, lines 65- col. 3, line 15).

Regarding claim 16, the method according to claim 12, wherein the information saved to the stored location includes the current URL, queries, and form arguments (Phaal: col. 5, lines 58- col. 6, line 3).

Regarding claim 17, the method according to claim 12, wherein the information saved to the stored location includes sufficient additional state information (Phaal: col. 5, lines 58-65), so that an HTTP response may later be generated containing contents adequate for the Web client to re-request the current HTTP request as originally transmitted (Phaal: col. 6, lines 25-49).

Regarding claim 18, the method according to claim 12, wherein the information saved to the stored location further includes the type of prerequisite that is unsatisfied (Phaal: col. 6, lines 16-25).

Regarding claim 19, the method according to claim 12, wherein the stored location uses client-side session state (Phaal: col. 6, lines 50-65).

Regarding claim 20, the method according to claim 12, wherein the stored location uses server-side session state (Phaal: col. 6, lines 1-12).

Regarding claim 21, the method according to claim 12, wherein the HTTP response formed includes content to inform and allow the user of the Web client to optionally initiate activity to satisfy the unsatisfied prerequisite (Phaal: col. 7, lines 12-32).

Regarding claim 30, the method according to claim 12, wherein the HTTP response formed includes content to automatically initiate activity to satisfy the unsatisfied prerequisite (Phaal: col. 7, lines 12-32).

Regarding claim 22, a Web server for controlling the resumption of access to a World Wide Web page to be supplied by the Web server and requiring at least one prerequisite (Phaal: col. 2, lines 31-45), the Web server comprising:

- a first mechanism configured to evaluate a current HTTP request from a Web client to determine whether a previously unsatisfied prerequisite has been satisfied (Phaal: col. 2, lines 46-53);

- a second mechanism configured to retrieve from a stored location information related to re-requesting a target HTTP request previously interrupted by the prerequisite (Phaal: col. 2, lines 53-64), in response to the first mechanism determining that a previously unsatisfied prerequisite has been satisfied (Phaal: col. 2, lines 51-65);

- a third mechanism configured to form an HTTP response, which response includes contents for re-requesting from the Web client the target HTTP request (Phaal: col. 2, lines 65- col. 3, line 15); and

- a fourth mechanism configured to transmit the response to the Web client that transmitted the current HTTP request (Phaal: col. 2, lines 65- col. 3, line 15).

Regarding claim 23, the Web server according to claim 22, wherein each of the first, second, third, and fourth mechanisms are implemented in software (Phaal: col. 7, lines 60- col. 8, line 10; col. 4, lines 38-42).

Regarding claim 27, the Web server according to claim 22, wherein the Web server collectively comprises multiple computers that collaborate (Phaal: Fig. 1; col. 5, lines 6-23).

Regarding claim 28, a Web server for controlling the resumption of access to a World Wide Web page to be supplied by the Web server and requiring at least one prerequisite (Phaal: col. 2, lines 31-45), the Web server comprising:

a first mechanism configured to evaluate a current HTTP request from a Web client to determine whether an unsatisfied prerequisite exists (Phaal: col. 2, lines 46-53);

a second mechanism configured to save to a stored location information related to re-requesting the current HTTP request (Phaal: col. 2, lines 53-64), in response to the first mechanism determining that an unsatisfied prerequisite exists (Phaal: col. 2, lines 51-65);

a third mechanism configured to form an HTTP response, which response omits desired contents from a location specified by the current HTTP request (Phaal: col. 2, lines 65- col. 3, line 15); and

a fourth mechanism configured to transmit the response to the Web client that transmitted the current HTTP request (Phaal: col. 2, lines 65- col. 3, line 15).

Regarding claim 31, the Web server according to claim 28, wherein each of the first, second, third and fourth mechanisms are implemented in software (Phaal: col. 7, lines 60- col. 8, line 10; col. 4, lines 38-42).

Regarding claim 32, the Web server according to claim 28, wherein the Web server collectively comprises multiple computers that collaborate (Phaal: Fig. 1, col. 5, lines 6-23).

REMARKS

The applicant has made no amendments. The applicant presents arguments in response to the 102 rejections.

The Applicant Argues:

The Phaal reference does not teach the claimed limitations.

In response, the examiner respectfully submits:

The Phaal reference does teach the claimed limitations. With regards to claim 1;

“receiving and evaluating a current HTTP request from a Web client to determine whether a previously unsatisfied prerequisite has been satisfied” is cited in col. 2, lines 46-53 of Phaal. Phaal shows a client sends a request from a client to a host. The HTTP request is to create a session and it is received and evaluated by the host to determine if the session is to be established or deferred. “If the threshold has been reached or surpassed,” the message is deferred. Applicant’s argument that the processing threshold cannot be interpreted as the prerequisite is without merit. The threshold of free resources is interpreted as the prerequisite. Applicant’s broad language defining the prerequisite can be interpreted many ways in the claims and in response to applicant’s argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., authentication/entitlement/workflow) are not recited in claim 1. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

“retrieving from a stored location information related to re-requesting a target HTTP request previously interrupted by the prerequisite, if the receiving and evaluating step determines that a previously unsatisfied prerequisite has been satisfied” is taught by Phaal in col. 2, lines 51-65. The stored location related to the re-request could be the cookie/key stored on the client’s computer (col. 6, lines 50-65) or the stored reserved slot times for a particular client (Fig. 6B). The prerequisite is host’s processing threshold or free resources. The receiving and evaluation step has been satisfied when the resources are free or the appointment time related to the resource usage is met. Applicant does not specify how the stored location information is related only that information is retrieved when a prerequisite is finally met.

“forming an HTTP response, which response includes contents for re-requesting from the Web client the target HTTP request” is taught by Phaal in col. 2, lines 65- col. 3, line 15. Phaal shows here an HTTP response to the request from the client, which holds contents that are the cookie and key information that will enable the client access to the host for retry. The claim says forming a response that includes contents for re-requesting transmission from the client. Not that the request response is from the client.

With regards to claim 12, the limitations are taught by Phaal as explained above. Claim 12, does teach saving to a location instead of retrieving. That step is also taught by Phaal where a

cookie/key information is saved to a client and where a time slot is reserved saving that period of processing the request for the deferred client. The information is related to re-requesting the current HTTP request because it contains cookie/identification/key information prioritizing the client to access the host at the indicated time. Claims 22 and 28 are rejected along similar lines.

The examiner requests applicant include further detailing limitations from the specification in the claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 9:00-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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brb



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